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EXAMINER

MOE, AUNG SOE

ART UNIT	PAPER NUMBER
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2685

DATE MAILED: 08/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/711,490

Applicant(s)

BEYER, MALCOLM K.

Examiner

Aung S. Moe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date see attached.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Objections

1. Claim 5 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 5 should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 5 has not been further treated on the merits.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-9, 10-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, it is unclear how “video” recited in line 23 related to “video” recited in line 15? If there is the same “video”, the Examiner suggests changing “video” recited in line 23 to - - said video - -.

In claim 2, it is unclear how “a CPU” recited in line 6 related to “a CPU” recited in line 3? If there is the same “CPU”, the Examiner suggests changing “a CPU” in line 6 to - - said CPU - -.

In claim 2, it is unclear whether it should be “use” or “user” recited line 15? It is also noted that there is insufficient antecedent basis for this limitation (i.e., “the use”) in the claim. For the purpose of examining, Examiner will consider “the use” as recited in line 15 as “a user”.

Regarding claim 6, it is unclear how “a CPU” and “a GPS” recited in line 6 related to “a CPU” and “a GPS” recited in lines 2-3? If there are the same “CPU” and “GPS”, Examiner suggests changing “a CPU” and “a GPS” in line 6 to - - said CPU - - and - - said GPS - -.

Regarding claim 6, it is unclear how “a cellular phone” recited in line 13 related to “a cellular phone” recited in line 5? If there are the same “cellular phone”, Examiner suggests changing “a cellular phone” in line 13 to - - said cellular phone - -.

Regarding claims 3, 4, 5 and 7-9, the remaining claims (dependent claims 3-5 & 7-9) are dependent on the rejected based claim (independent claims 1, 2 and 6) and therefore inherit the deficiencies thereof.

Regarding claim 10, it is unclear how “a communication network” recited in line 15 related to “a communication network” recited in line 1? If there are the same “communication network”, Examiner suggests changing “a communication network” in line 15 to - - said communication network - -.

Regarding claim 10, it is unclear how “a display screen” recited in line 19 related to “a touch display screen” recited in line 5? If there are the same “display screen”, Examiner suggests changing “a display screen” in line 19 to - - said display screen - -.

Regarding claim 10, it is unclear how “a cellular phone” recited in line 15 related to “a cellular phone” recited in line 1? If there are the same “cellular phone”, Examiner suggests changing “a cellular phone” in line 15 to - - said cellular phone - -.

Regarding claim 14, Claim 14 recites the limitation "the PDA display screen" in line 3. There is insufficient antecedent basis for this limitation in the claim. It should be change to - - a

PDA display screen - -, and also noted that "a PDA display screen" recited in line 5 should be changed to - - the PDA display screen - -.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '377 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331A1) and Bostrom '456 (U.S. Publication 02664546A1).

Regarding claim 2, Muramatsu '337 discloses a communication system to provide a cellular phone network for a group of participants (Muramatsu '337 Col. 2, line 17+), each of the participants having an individual portable cellular phone (Muramatsu '337 Fig. 17) that includes a CPU (Muramatsu '337 Fig. 3, element 100) and a GPS navigational system (Muramatsu '337 Fig. 3, element 108) that can accurately determine the location of the cellular phone. Each of the phones in the communications net of participants contains (Muramatsu '337 Col. 8, line 59+): a CPU (Muramatsu '337 Fig. 3, element 100) and memory (Muramatsu '337 Fig. 3, elements 102 and 104); a display (Muramatsu '337 Fig. 3, element 118); symbol generator in said CPU that can generate symbols that represent each of the participants in the communication network on

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the display screen (Muramatsu '337 Col. 5, line 11+), (Muramatsu '337 Col. 10, line 19+), (Muarmatsu '337 Col. 10, line 49+), (Muramatsu '337 Fig. 17); a database that stores the individual telephone numbers related to each of the symbols of which represents a participant in the communication network (Muramatsu '337 Col. 5, line 51+); cellular phone call initiating software in said CPU connected to the telephone number database and the screen and the symbols on the screen whereby selecting an individual symbol will automatically initiate a cellular phone telephone call to the use represented by the symbol (Muramatsu '337 Col. 10, line 3+); and said display including databases that display geographical information that includes showing the geographical location of each of the symbols representing participants in the communication network (Muramatsu '337 Col. 4, line 20+) and fixed locations (Muramatsu '337 Col. 4, line 30+).

Also, it is noted that Muramatsu '337 show the use of user interface (106) in Fig. 3 for entering the user commands and the symbols on the screen (i.e., see Fig. 10), Muramatsu '337 does not specifically disclose the *touch screen* and the symbols on the *touch screen* whereby *touching* an individual symbol, however Gorday '331 teaches the *touch screen* and the symbols on the *touch screen* whereby *touching* an individual symbol (i.e. software connected to the touch screen and the symbols on the touch screen whereby touching an individual symbol will target the device for communication, see Gorday '331 Para 0014+).

In view of the above, having the system of Muramatsu '337 and then given the well-established teaching of Gorday '331, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating the touch screen whereby touching an individual symbol as taught by Gorday '331,

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so that the overall system has the touch screen and the symbols on the touch screen whereby touching an individual symbol, which gives a method of targeting a message to one of several devices, without specifying an address inherently associated with that device (Gorday '331, 0003+ and 0004+).

In addition, Muramatsu '337 does not specifically disclose a database that displays geographical information that includes showing the geographical location of entered items of interest, however Bostrom '456 teaches a database that displays geographical information (i.e. that includes showing the geographical location of entered items of interest by having location coordinates such as determined by the global positioning satellite system being entered by a subscriber from the location to be marked by making a telephone call request, and having a node storing the coordinates, see Bostrom '456, Para 0004+).

In view of this, having the system of Muramatsu '337 and then given the well-established teaching of Bostrom '456, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating the database that displays geographical information that includes showing the geographical location of entered items of interest by having location coordinates such as determined by the global positioning satellite system being entered by a subscriber from the location to be marked by making a telephone call request, and having a node storing the coordinates as taught by Bostrom '456, so that the overall system has a database that displays geographical information that includes showing the geographical location of entered items of interest, in order to enable sharing of locations and navigation instructions with others that do not have access to the user's receiver (Bostrom '456, Para 0002+).

3. Claims 3-4, are rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '377 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 0192331A1) and Bostrom '456 (U.S. Publication 02664546A1) as discussed above and in further in view of Bala '475 (U.S. 5,542,475).

Regarding claim 3, the combination of Muramatsu '337, Gorday '331, and Bostrom '456 discloses a communication network that includes said participants, each having a cellular phone as in Claim 2 further comprising: said software for automatically initiating a cellular phone call to a user represented by a symbol (Muramatsu '337 Col. 10, line 3+) includes initiating a communication (Gorday '331, Para 0014+) to one or more of the participants from a base phone by touching the specific symbols of those participants that will be participating in a communication by touching the symbol of each of those users (Gorday '331, Para 0014+) and providing a way to initiate the communication by touching the screen whereby each of the initiated communication participants will be contacted by the base phone to establish a communication (Gorday '331, Fig. 3 elements 334 and 336 Note: a way to initiate the communication pertains to transmit message to selected recipients which is the next step after using the touch screen to select message recipient(s)).

Moreover, it is noted that the combination of Muramatsu '337, Gorday '331, and Bostrom '456 does not specifically providing a *software switch* to initiate the *conference call* by touching the screen whereby each of the initiated *conference* participants will be *called* by the base phone to establish a *conference call*.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Bala '475. In particular, Bala '475 teaches inclusion of initiating a *conference call*

to one or more of the participants from a base phone by touching the specific symbols of those participants that will be participating in a *conference call* by touching the symbol of each of those users and providing a *software switch* to initiate the *conference call* by touching the screen whereby each of the initiated *conference* participants will be *called* by the base phone to establish a *conference call* (i.e. Conference button on “soft phone” display, Bala ‘475 Fig. 2 elements 50 and 76, clearly showing conference call capabilities).

In view of the above, having the system of the combination of Muramatsu ‘337, Gorday ‘331, and Bostrom ‘456 and then given the well-established teaching of Bala ‘475, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu ‘337, Gorday ‘331, and Bostrom ‘456 by incorporating the Conference button on “soft phone” display as taught by Bala ‘475, so that the overall system has inclusion of initiating a *conference call* to one or more of the participants from a base phone by touching the specific symbols of those participants that will be participating in a *conference call* by touching the symbol of each of those users and providing a *software switch* to initiate the *conference call* by touching the screen whereby each of the initiated *conference* participants will be *called* by the base phone to establish a *conference call*, providing enhanced call service features at remote locations (Bala ‘475 Col. 1, lines 56+).

Regarding claim 4, the combination of Muramatsu ‘337, Gorday ‘331, Bostrom ‘456, and Bala ‘475 discloses a communication network using the cellular phone as in Claim 3 whereby the communication network can include a large number of participants (Muramatsu ‘337, Fig. 17) in a conference call (Bala ‘475 Fig. 2, elements 50 and 76) comprising conference call initiating

software in said CPU (Bala '475 Fig. 2, elements 50 and 76 Note: Conference button on "soft screen" must have software in order to function) that includes the transmission by touching the symbol of each of the participants (Gorday '331 Para 0014+) of an 800 number that will be provided to each of the proposed conference call participants allowing them to call the 800 number to establish the conference call with the base phone (Bala '475 Fig. 2, element 58 and 66 showing the 800 numbers, elements 50 and 76 showing conferencing capabilities).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '377 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331A1).

Regarding claim 6, Muramatsu '377 discloses a method of establishing a cellular phone communication network for designated participants, each having a similarly equipped cellular phone that includes a CPU (Muramatsu '377 Fig. 3, element 100), a GPS navigation system (Muramatsu '377 Fig. 3, element 108) and a display (Muramatsu '377 Fig. 3, element 118) comprising the steps of:

a) generating one or more symbols on the display screen, each representing a different participant that has a cellular phone {Muramatsu '377 (Col. 5, line 11+), (Col. 10, line 49+), (Col. 11, line 14+)} that includes a CPU (Muramatsu '377 Fig. 3, element 100), a GPS system (Muramatsu '377 Fig. 3, element 108), and a display (Muramatsu '377 Fig. 3, element 118);

b) providing and storing in each of the participant cellular phones one or more cellular phone telephone numbers, each cellular phone number of which relates to a different symbol of each of the participants in the communication network; (Muramatsu '377 Fig. 16)

c) providing initiating cellular phone calling software in each cellular phone that is activated by selecting a symbol on the display that automatically initiates a cellular phone using the stored cellular phone number to the participant represented by the symbol; (Muramatsu '337 Col. 10, line 3+)

d) generating a geographical location chart on said display screen to show the geographical location of each of the symbols representing the participants in the communication network by latitude and longitude; (Muramatsu '337 Fig. 16 and 17).

Furthermore, it is noted that Muramatsu '337 show the use of user interface (106) in Fig. 3 for entering the user commands and the symbols on the screen (i.e., see Fig. 10), Muramatsu '337 does not specifically disclose providing initiating cellular phone calling software in each cellular phone that is activated by *touching* a symbol on the *touch* display that automatically initiates a cellular phone using the stored cellular phone number to the participant represented by the symbol, however Gorday '331 teaches providing initiating cellular phone calling software in each cellular phone that is activated by *touching* a symbol on the *touch* display that automatically initiates a cellular phone using the stored cellular phone number to the participant represented by the symbol (i.e. software connected to the touch screen and the symbols on the touch screen whereby touching an individual symbol will target the device for communication, Gorday '331 Para. 0014+).

In view of the above, having the system of Muramatsu '337 and then given the well-established teaching of Gorday '331, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating the software connected to the touch screen and the symbols on the touch screen

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whereby touching an individual symbol will target the device for communication as taught by Gorday '331, so that the overall system provides initiating cellular phone calling software in each cellular phone that is activated by touching a symbol on the touch display that automatically initiates a cellular phone using the stored cellular phone number to the participant represented by the symbol, which gives a method of targeting a message to one of several devices, without specifying an address inherently associated with that device (Gorday '331, Paras. 0003+ and 0004+).

4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '377 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 0192331A1) as discussed above, and further in view of Bala '475 (U.S. 5,542,475).

Regarding claim 7, the combination of Muramatsu '337 and Gorday '331 disclose the method of establishing a communication network as in claim 6 comprising the additional step of: e) providing communication initiating software that allows each of the participants to initiate a communication to other participants by touching each of the symbols on the touch screen representing participants who will participate in the communication (Gorday '331, 0014+).

The combination of Muramatsu '337 and Gorday '331 does not specifically disclose *conference call* initiating software that allows each of the participants to initiate a *conference call* to other participants by touching each of the symbols on the touch screen representing participants who will participate in the *conference call*, however Bala '475 teaches *conference call* initiating software that allows each of the participants to initiate a *conference call* to other

participants by touching each of the symbols on the touch screen representing participants who will participate in the *conference call* (i.e. Conference button on “soft phone” display, Bala ‘475 Fig. 2 elements 50 and 76, clearly showing conference call capabilities).

In view of the above, having the system of the combination of Muramatsu ‘337 and Gorday ‘331 and then given the well-established teaching of Bala ‘475, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu ‘337 and Gorday ‘331 by incorporating the Conference button on “soft phone” display as taught by Bala ‘475, so that the overall system provides *conference call* initiating software that allows each of the participants to initiate a *conference call* to other participants by touching each of the symbols on the touch screen representing participants who will participate in the *conference call*, providing enhanced call service features at remote locations (Bala ‘475 Col. 1, lines 56+).

Regarding claim 8, the combination of Muramatsu ‘337, and Gorday ‘331 discloses a method of establishing a communication network as in claim 6 including the step of:

f) providing communication initiating software for a large number of participants represented by the symbols on the touch screen in which each of the proposed communication participants are established by touching the participant’s symbol on the screen (i.e. software connected to the touch screen and the symbols on the touch screen whereby touching an individual symbol will target the device for communication, Gorday ‘331 Para. 0014+).

The combination of Muramatsu ‘337 and Gorday ‘331 does not specifically disclose providing *conference call* initiating software for a large number of participants represented by

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the symbols on the touch screen in which each of the proposed *conference call* participants are established by touching the participant's symbol on the screen, however Bala '475 teaches providing conference call initiating software for a large number of participants represented by the symbols on the touch screen in which each of the proposed conference call participants are established by touching the participant's symbol on the screen (i.e. Conference button on "soft phone" display, Bala '475 Fig. 2 elements 50 and 76).

In view of the above, having the system of the combination of Muramatsu '337 and Gorday '331 and then given the well-established teaching of Bala '475, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337 and Gorday '331 by incorporating the Conference button on "soft phone" display as taught by Bala '475, so that the overall system providing *conference call* initiating software for a large number of participants represented by the symbols on the touch screen in which each of the proposed *conference call* participants are established by touching the participant's symbol on the screen, providing enhanced call service features at remote locations (Bala '475 Col. 1, lines 56+).

Also, it is noted that the combination of Muramatsu '337 and Gorday '331 does not specifically disclose which causes the cellular phone initiating the conference call to transmit messages to each of the users represented by the touched symbols that tells each of the called participants through their cellular phones to call a particular 800 number to establish the conference call.

However, it is noted from the teaching of Bala '475 that the part of the graphical user interface (i.e., see Fig. 2) included a message area (66) for notifying the remote user (i.e., noted

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the mobile worker as shown in Fig. 1 of Bala '475) with specific message, such as 800 number of the caller and further show the use of "800" in the area (58) and a conference button 76. In view of this, it is obvious that the system of Bala '475 is capable of receiving a message with "800" information attached to the message and capable of participating/establishing the conference call with the use of a conference button 76 and "800" information from the areas 66 and 58 as shown in Fig. 2.

In view of this, having the system of the combination of Muramatsu '337 and Gorday '331, and then given the well-established teaching of Bala '475, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337 and Gorday '331 by incorporating the transmitting of information from the server node (12/26) to each of the client nodes (i.e., Mobile Worker) of the prospective conference call participants regarding information for establishing access to a 1-800 number for the conference call as taught by Bala '475, so that the overall system provides which causes the cellular phone initiating the conference call to transmit messages to each of the users through their cellular phones to call a particular 800 number to establish the conference call, enabling greater bridge utilization and reduced costs.

4. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '377 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331A1), Godfrey '634 (U.S. Publication 2005/0130634A1), and Ausems '321 (U.S. Publication 2001/0044321 A1).

Regarding claim 10, Muramatsu '337 discloses a cellular phone for use in a communication network for a plurality of participants (Muramatsu '337 Fig. 3 and 17) comprising: a cellular phone transmitter and receiver (Muramatsu '337 Fig. 3, elements 112 and 20 Note: inherently known that for wireless communications there must be a transmitter and receiver);

a small hand held portable housing containing said cellular phone transmitter and receiver (Muramatsu '337, Col. 3, lines 45+), (Muramatsu '337 Fig. 3) (Note: a portable phone has a portable housing);

a display screen mounted in said housing (Muramatsu '337, Fig. 3, element 118);
a CPU connected to said cellular phone transmitter and receiver (Muramatsu '337, Fig. 3, element 100);

a GPS navigation system connected to said CPU and to said cellular phone transmitter and receiver on said screen (Muramatsu '337, Fig. 3, element 108);

a database connected to said CPU that includes the symbol of a list of telephone numbers that relate to specific symbols (Muramatsu '337 Col. 5, line 51+), (Muramatsu '337, Col. 6, line 36+);

a symbol generator connected to said CPU and said database for generating symbols on said screen, each of said symbols representing a participant in a communication network that has a cellular phone (Muramatsu '337, Col. 5, line 51+), (Muramatsu '337, Col. 6, line 36+);

call initiating software connected through said CPU and said telephone database and said symbol generator whereby when a user selects the symbol displayed on a display screen the cellular phone call is automatically initiated to the cellular phone represented by the symbol (Muramatsu '337, Col. 10, line 3+);

a geographical database connected to said CPU to provide a geographical display on said touch screen representing a defined geographical area that also displays symbols representing each of the participants that has an identical cellular phone by latitude and longitude (Muramatsu '337, Col. 4, line 20+),(Muramatsu '337, Fig. 12, element 404).

Also, Muramatsu '337 does not specifically disclose a modem connected to said cellular phone transmitter and receiver, Ausems '321 teaches a modem connected to said cellular phone transmitter and receiver (Ausems '321, i.e. clearly shown on Fig. 2, elements 220 and 210).

In view of this, having the system of Muramatsu '337 and then given the well-established teaching of Ausems '321, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating the modem connected to said cellular phone transmitter and receiver as taught by Ausems '321 so that the operability of the overall system can be improve by enabling cellular phone to send and receive fax messages or have Internet access (Ausems '321, Para 0047+).

Also, Muramatsu '337 does not specifically disclose CPU software for selectively polling other participants with a cellular phone, however Godfrey '634 teaches CPU software for selectively polling other participants with a cellular phone (Godfrey '634, i.e. the proximity identification module may be adapted to transmit the position coordinates supplied by the GPS receiver to the access point or proximity server in response to a poll transmitted by the access point from Para. 0076+, and Fig. 2 elements 206 and 208 Note: elements show the Proximity Identification Module interfacing with the Processor).

In view of this, having the system of Muramatsu '337 and then given the well-established teaching of Godfrey '634, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating the proximity identification module may be adapted to transmit the position coordinates supplied by the GPS receiver to the access point or proximity server in response to a poll transmitted by the access point as taught by Godfrey '634 so that the overall system contains CPU software for selectively polling other participants with a cellular phone, which gives the ability for a user of a wireless station to receive notification of other users of proximate wireless stations if the user desires (Godfrey '634, Para. 0034+).

Muramatsu '337 does not specifically disclose a touch display screen, however Gorday '331 teaches a touch screen display (Godfrey '331, Fig. 2). In view of this, having the system of Muramatsu '337 and then given the well-established teaching of Gorday '331, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating the touch screen display as taught by Gorday '331 so that it would enhanced the operability with the use a touch display screen, which functions as a presentation or output device, and also as an input device when depressed by a stylus (Gorday '337, Para. 0013+).

Also, Muramatsu '337 does not specifically disclose a touch display screen and allowing a user *touches* the symbol to initiate the communication, however Gorday '331 teaches a user *touches* the symbol with a touch display screen is well known in the art (i.e., Gorday '331 teaches that the communication device selects for communication at least one device from the

network of devices by using the stylus and the touch screen to target devices represented by icons from; see Para. 0014+).

In view of this, having the system of Muramatsu '337 and then given the well-established teaching of Gorday '331, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Muramatsu '337 by incorporating communication device selects for communication at least one device from the network of devices by using the stylus and the touch screen to target devices represented by icons as taught by Gorday '331, so that that it would enhanced the operability with the use a touch display screen, which functions as a presentation or output device, and also as an input device when depressed by a stylus (Gorday '337, Para. 0013+), and moreover, it would allow the user to easily initiate a target communication with one of several devices by touching the respective symbol on the display without specifying an address inherently associated with that device (i.e., see Paragraph 0004).

5. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '377 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331A1), Godfrey '634 (U.S. Publication 2005/0130634A1), and Ausems '321 (U.S. Publication 2001/0044321 A1) as discussed above and in further in view of Bala '475 (U.S. 5,542,475).

Regarding claim 11, the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 discloses a cellular phone as in claim 10, including: Communication initiating software connected to said CPU that allows the cellular phone user to initiate a communication

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to a plurality of participants represented by symbols by touching each of the symbols (Gorday '331, Para. 0014+) and initiating a communication method (Gorday '331, Fig. 3 elements 334 and 336 Note: initiating a communication method pertains to transmit message to selected recipients which is the next step after using the touch screen to select message recipient(s)).

Moreover, it is noted that the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 does not specifically disclose *Conference call* initiating software connected to said CPU that allows the cellular phone user to initiate a *conference call* to a plurality of participants represented by symbols by touching each of the symbols and initiating a *conference call software switch*, Bala '475 teaches *Conference call* initiating software connected to said CPU that allows the cellular phone user to initiate a *conference call* (Bala '475, i.e. Conference button on "soft phone" display, Fig. 2 elements 50 and 76, clearly showing conference call capabilities) to a plurality of participants represented by symbols by touching each of the symbols and initiating a *conference call software switch* (Bala '475, i.e. Conference button on "soft phone" display, Fig. 2 elements 50 and 76)

In view of this, having the system of the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 and then given the well-established teaching of Bala '475, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 by incorporating Conference button on "soft phone" display as taught by Bala '475, so that the overall system contains Conference call initiating software connected to said CPU that allows the cellular phone user to initiate a conference call to a plurality of participants represented by symbols by touching each of the symbols and initiating a conference call software

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switch, providing enhanced call service features at remote locations (Bala '475 Col. 1, lines 56+).

Regarding claim 12, the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 discloses a cellular phone as in claim 10, including: communication initiating software for large number of communication participants that allows the user of the cellular phone to initiate a communication to the cellular phone users represented by the symbols on the screen by touching each of the symbols representing a participant in the communication (Gorday '331, Para. 0014+) which initiates an automatic cellular phone call to the remote cellular phone users represented by the symbols (Muramatsu '337 Col. 10, line 3+).

The combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 does not specifically disclose *conference call* initiating software for large number of *conference call* participants that allows the user of the cellular phone to initiate a *conference call* to the cellular phone users represented by the symbols on the screen by touching each of the symbols representing a participant in the *conference call* which initiates an automatic cellular phone call to the remote cellular phone users represented by the symbols displaying a text message to call a particular 800 number to establish the conference call, however Bala '475 teaches *conference call* (Bala '475, i.e. Conference button on "soft phone" display, Fig. 2 elements 50 and 76, clearly showing conference call capabilities) initiating software for large number of *conference call* participants that allows the user of the cellular phone to initiate a *conference call* to the cellular phone users represented by the symbols on the screen by touching each of the symbols representing a participant in the *conference call* which initiates an automatic cellular phone call

to the remote cellular phone users represented by the symbols displaying a text message to call a particular 800 number to establish the conference call (i.e., Fig. 2 of Bala '475 shows that the part of the graphical user interface included an message area (66) for notifying the remote user, e.g., noted the mobile worker as shown in Fig. 1 of Bala '475, with specific text message, such as 800 number of the caller and further show the use of "800" in the area (58) and a conference button 76. In view of this, it is obvious that the system of Bala '475 is capable of receiving a text message with "800" information attached to the text message and capable of participating/establishing the conference call with the use of a conference button 76 and "800" information from the areas 66 and 58 as shown in Fig. 2).

In view of the, having the system of the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 and then given the well-established teaching of Bala '475, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 by incorporating Conference button on "soft phone" display and that the part of the graphical user interface {i.e., see Fig. 2} included a message area (66) for notifying the remote user [noted: the mobile worker as shown in Fig. 1 of Bala '475] with specific text message, such as 800 number of the caller and further show the use of "800" in the area (58) and a conference button 76. In view of this, it is obvious that the system of Bala '475 is capable of receiving a text message with "800" information attached to the text message and capable of participating/establishing the conference call with the use of a conference button 76 and "800" information from the areas 66 and 58 as shown in Fig. 2 as taught by Bala '475, so that the overall system contains *conference call* initiating software for large number of *conference call*

participants that allows the user of the cellular phone to initiate a *conference call* to the cellular phone users represented by the symbols on the screen by touching each of the symbols representing a participant in the *conference call* which initiates an automatic cellular phone call to the remote cellular phone users represented by the symbols displaying a text message to call a particular 800 number to establish the conference call, providing enhanced call service features at remote locations (Bala '475 Col. 1, lines 56+).

6. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '337 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331), Ausems '321 (U.S. Publication 2001/0044321 A1) and Godfrey '634 (U.S. Publication 2005/0130634A1) as discussed above, and further in view of Tendler '286 (U.S. 5,555,286).

Regarding claim 13, the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 discloses a remote cellular phone that is called by touching a symbol representing the cellular phone to be called (Godfrey '634, Para. 0014+).

Although the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 does not specifically disclose a cellular phone as in claim 10, including: an emergency call initiating software connected to said CPU that includes a remote cellular phone activating signal for causing a remote cellular phone that is called by touching a symbol representing the cellular phone to be called to generate and play an audio message telling the remote cellular phone user that there is an emergency and to call the cellular phone initiator, Tendler '286 teaches a cellular phone as in claim 10, including: an emergency call initiating software connected to said CPU

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that includes a remote cellular phone activating signal for causing a remote cellular phone that is called by touching a symbol representing the cellular phone to be called to generate and play an audio message telling the remote cellular phone user that there is an emergency and to call the cellular phone initiator (Tendler '286 i.e. a paging system such that the cellular phone may be made to "call home" via pager activation which turns the system on and then actuates it to broadcast the verbal message, Col. 5, line 24+).

In view of this, having the system of the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 and then given the well-established teaching of Tendler '286, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337, Gorday '331, Ausems '321 and Godfrey '634 by incorporating paging system such that the cellular phone may be made to "call home" via pager activation which turns the system on and then actuates it to broadcast the verbal message as taught by Tendler '286 so that the overall system contains a cellular phone as in claim 10, including: an emergency call initiating software connected to said CPU that includes a remote cellular phone activating signal for causing a remote cellular phone that is called by touching a symbol representing the cellular phone to be called to generate and play an audio message telling the remote cellular phone user that there is an emergency and to call the cellular phone initiator, which gives a low cost universal monitoring system for emergencies (Tendler '286, Col. 2, line 20+).

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '337 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331), Ausems '321 (U.S. Publication 2001/0044321 A1), Godfrey '634 (U.S. Publication 2005/0130634A1), and Bala '475 (U.S. 5,542,475) as discussed above, and further in view of Fumarolo '844 (U.S. 6,204,844).

Regarding claim 14, the combination of Muramatsu '337, Gorday '331, Ausems '321, Godfrey '634, and Bala '475 discloses providing the ability to conference the participants previously assigned to a net by using a software drawn switch(es) for a conference call, whereby the user touches the net software switches to initiate the call to all of the participants on the net (Bala '475, i.e. Conference button on "soft phone" display, Fig. 2 elements 50 and 76, clearly showing conference call capabilities).

The system of the combination of Muramatsu '337, Gorday '331, Ausems '321, Godfrey '634, and Bala '475 does not specifically disclose a limitations such as "providing the ability to pre-establish phone conferencing nets by touching a PDA display screen at a symbolic representation of the person(s) location", however, Fumarolo '844 teaches a cellular phone as in claim 14, including: Providing the ability to pre-establish phone conferencing nets by touching the PDA display screen at a symbolic representation of the person(s) location (Fumarolo '844, i.e. a user input device of a touch-screen portion of the GUI [Col. 4, line 59+] and selecting of a communication unit of communication units to be dynamically regrouped [Col. 7, line 9+] as well as targeting talkgroups [Fig. 3]).

In view of the above, having the system of the combination of Muramatsu '337, Gorday '331, Ausems '321, Godfrey '634 and Bala '475 and then given the well-established teaching of

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Fumarolo '844, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337, Gorday '331, Ausems '321, Godfrey '634 and Bala '475 by incorporating the user input device of a touch-screen portion of the GUI (Fumarolo '844, Col. 4, line 59+) and selecting of a communication unit of communication units to be dynamically regrouped (Fumarolo '844, Col. 7, line 9+) as well as targeting talkgroups as taught by Fumarolo '844 so that it would allow a user of a display-based terminal having an integrated mapping program to dynamically group and ungroup communication units (i.e., see Fumarolo '844, Col. 2, line 37+).

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Muramatsu '337 (U.S. 6,868,337) in view of Gorday '331 (U.S. Publication 2004/0192331), Ausems '321 (U.S. Publication 2001/0044321 A1), Godfrey '634 (U.S. Publication 2005/0130634A1), Bala '475 (U.S. 5,542,475) and Fumarolo '844 (U.S. 6,204,844) as discussed above, and further in view of King '560 (U.S. 6,775,560).

Regarding claim 15, the combination of Muramatsu '337, Gorday '331, Ausems '321, Bala '475, and Fumarolo '844 does not specifically disclose a layered set of software drawn switches as in claim 14, including:

A set of layered software drawn switches so that each switch that when activated on the PDA overlays the previously drawn switches, thus providing the operator a large choice of switches in the same physical space on the PDA screen, however King '560 teaches a layered set of software drawn switches as in claim 14, including: A set of layered software drawn switches so that each

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switch that when activated on the PDA overlays the previously drawn switches, thus providing the operator a large choice of switches in the same physical space on the PDA screen (King '560, i.e. a single display having a first predetermined portion to display text or icons associated with various functions of the device while a second portion could be used for the display of pictures; see Col. 11, line 12+; and a user can view a picture file as well as other information or functions of the wireless communication device without having to close the picture file or have a portion of the picture file obscured when cursoring through text or other information associated with the picture file; see Col. 6, line 13+; also the graphic would change as the user cursors through the options; see Col. 15, line 30+).

Therefore, having the system of the combination of Muramatsu '337, Gorday '331, Ausems '321, Bala '475, and Fumarolo '844 and then given the well-established teaching of King '560, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of the combination of Muramatsu '337, Gorday '331, Ausems '321, Bala '475, and Fumarolo '844 by incorporating the single display having a first predetermined portion to display text or icons associated with various functions of the device while a second portion could be used for the display of pictures, and a user can view a picture file as well as other information or functions of the wireless communication device without having to close the picture file or have a portion of the picture file obscured when cursoring through text or other information associated with the picture file, also the graphic would change as the user cursors through the options as taught by King '560 so that it would provide the operator a large choice of switches in the same physical space on the PDA screen, which enables

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a portion of the display to be deactivated or placed in low power mode to reduce battery consumption (King '560 Col. 11, line 15+).

Allowable Subject Matter

3. Claim 1, 5 and 9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

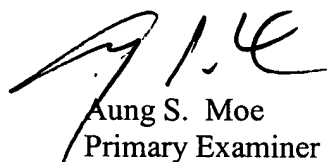
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 571-272-7314. The examiner can normally be reached on Flex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban can be reached on 571-272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Aung S. Moe
Primary Examiner
Art Unit 2685

ASM/Omar
August 1, 2005